REMARKS/ARGUMENTS

Claims 1-20 are pending in the application. Claims 1, 8, and 15 have been amended. Reconsideration is respectfully requested. Applicants submit that the pending claims 1-20 are patentable over the art of record and allowance is respectfully requested of claims 1-20.

Applicants would like to thank Examiner Rose for withdrawing the finality of the final rejection that was mailed on July 5, 2006.

Applicants would also like to thank Examiner Rose for reviewing the previously submitted information disclosure statements.

Claims 1-20 are rejected under 35 U.S.C. 103(a) as being obvious over Linde et al. U.S. Patent No. 6,799,258) in view of Goiffon et al. (U.S. Patent No. 6,226,792). Applicants respectfully traverse.

Applicants' Specification, at page 3, paragraph 10 describes the problem being addressed as follows:

Because different customers have different needs, different copy services solutions are formed to address the needs. However, it is difficult to keep up with the growing number of copy services solutions. Many of these copy services solutions, given hardware alone, require manual intervention, which is inefficient and leads to human error. Also, current copy services solutions involve writing complex management code for specific copy types that run complex scripts, which are difficult to set up. This is a very time consuming and error prone task for a storage administrator.

To solve this problem, Applicants' claims 1, 8, and 15 describe receiving a document describing the copy services solution, wherein the copy services solution describes a chain of base copy types (e.g., Specification page 6, paragraphs 18-19). Also, an event and an action to be performed for that event are described, and the document is not directly executable. The base copy types include a continuous base copy type that refers to a base copy services solution in which copying is constantly performed and a point-in-time base copy type that refers to a base copy services solution in which a copy of data is made at a given point in time (e.g.,

Specification page 6, paragraphs 18-19). The document is converted to executable code, and the code is executed to perform one or more base copy services solutions described with the chain of base copy types in the document.

For example, Applicants' Figures 4A, 4B, and 5 describe example chains of base copy types. As described in the Specification, page 10, paragraph 27, one copy services solution may chain together a continuous base copy type, a point-in-time base copy time, another point-in-time base copy type, and a continuous base copy type.

On the other hand, the Linde patent is directed to point-in-time volumes (Linde Abstract), while the Goiffon patent is directed to an object management system (Goiffon Abstract). Applicants submit that there is no teaching or motivation to combine the Linde and Goiffon patents. However, even if combined, the combination does not result in Applicants' claimed invention.

For example, in the Linde patent, Col. 9, lines 23-28, describe the storage domain server receiving a read or write request, while Col. 9, lines 62-67, describe reading from a point-in-time volume. Applicants respectfully submit that the Linde patent does not teach or suggest receiving a document describing the copy services solution, wherein the copy services solution describes a chain of base copy types, wherein the base copy types include a continuous base copy type that refers to a base copy services solution in which copying is constantly performed and a point-in-time base copy type that refers to a base copy services solution in which a copy of data is made at a given point in time.

The Goiffon patent at Col. 14, lines 12-18, is cited as teaching an event and an action to be performed for that event, wherein the document is not directly executable. The cited portion of the Goiffon patent describes, under Import Elements, a service which reads elements from a file and writes them into the Element Inventory. The service in Goiffon includes options for handling already-existing elements, including the Ignore, Overwrite, and Create New Version options, and the service is called by scripts executing on either the client server or the script server. The Examiner submits that the service including the Ignore, Overwrite, and Create New Version options is equivalent to an action being performed. Applicants respectfully traverse. The claimed action is performed for an event described for the copy services solution. There is no teaching or suggestion in the Goiffon patent that the Ignore, Overwrite, and Create New Version options are actions associated with events described for a copy services solution.

Also, the Examiner submits that the service being called by scripts is interpreted to be wherein the document is not directly executable. Applicants respectfully traverse. The claimed document is not directly executable, but is converted to code that is executed. Thus, the Examiner's interpretation of "not directly executable" is not in line with the claimed invention.

The Goiffon patent at Col. 8, lines 16-21, describes converting business applications into code, and this is interpreted as converting the document to executable code. A business application is not equivalent to the claimed document that describes the copy services solution, wherein the copy services solution describes a chain of base copy types, wherein the base copy types include a continuous base copy type that refers to a base copy services solution in which copying is constantly performed and a point-in-time base copy type that refers to a base copy services solution in which a copy of data is made at a given point in time. Therefore, Applicants respectfully submit that converting a business application to code does not teach or suggest converting the claimed document to code.

The Linde patent at Col. 12, lines 65-67, describes performing read/write operations on the source volume or point-in-time volume. The Examiner submits this teaches executing the code to perform one or more base copy services solutions described with the chain of base copy types in the document. Applicants respectfully traverse. The claimed copy services solution describes a chain of base copy types that include a continuous base copy type and a point-in-time base copy type. Thus, merely reading/writing to a point-in-time volume does not teach or suggest executing the code to perform one or more base copy services solutions described with the chain of base copy types.

Thus, claims 1, 8, and 15 are not taught or suggested by the Linde or Goiffon patents, either alone or in combination.

Dependent claims 2-7, 9-14, and 16-20 incorporate the language of one of independent claims 1, 8, and 15 and add additional novel elements. Therefore, dependent claims 2-7, 9-14, and 16-20 are not taught or suggested by the Linde or Goiffon patents, either alone or in combination, for at least the same reasons as were discussed with respect to claims 1, 8, and 15.

## Conclusion

For all the above reasons, Applicants submit that the pending claims 1-20 are patentable over the art of record. Applicants have not added any claims. Nonetheless, should any additional fees be required, please charge Deposit Account No. 09-0449.

The attorney of record invites the Examiner to contact her at (310) 553-7973 if the Examiner believes such contact would advance the prosecution of the case.

Dated: December 12, 2006                    By:___/Janaki K. Davda/_____

                                             Janaki K. Davda
                                             Registration No. 40,684

Please direct all correspondences to:

David Victor
Konrad Raynes & Victor, LLP
315 South Beverly Drive, Ste. 210
Beverly Hills, CA 90212
Tel: 310-553-7977
Fax: 310-556-7984